

Robert S. Giolito (State Bar No. 244161)  
LAW OFFICE OF ROBERT S. GIOLITO, P.C.  
11755 Wilshire Boulevard, Suite 2140  
Los Angeles, California 90025  
(310) 473-3535 (Telephone)  
(310) 473-3533 (Facsimile)  
rgiolito@giolitolaw.com

Clark Anthony Braunstein (State Bar No. 278023)  
BRAUNSTEIN & BRAUNSTEIN, P.C.  
11755 Wilshire Boulevard, Suite 2140  
Los Angeles, California 90025  
(310) 914-4999 (Telephone)  
(310) 914-4996 (Facsimile)  
Clarkbraunstein@gmail.com

Attorneys for Defendant  
Lane Lipton

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

JAMES MCGIBNEY, an individual, and  
VIAVIEW, INC, a corporation,

Plaintiffs,

vs.

THOMAS RETZLAFF, an individual,  
NEAL RAUHAUSER, an individual,  
LANE LIPTON, an individual, and  
DOES 1-5, individuals whose true names are not  
known,

Defendants.

) Case No.: 5:14-cv-01059 BLF

) **JOINT STIPULATION AND ~~PROPOSED~~**  
) **ORDER EXTENDING TIME TO FILE**  
) **REPLY PAPERS TO LIPTON'S MOTION TO**  
) **DISMISS AND SPECIAL MOTION TO**  
) **STRIKE**

1 Plaintiff James McGibney, an individual, and ViaView, Inc., a corporation (collectively,  
 2 “Plaintiffs”), together with Defendant Lane Lipton (“Defendant”), by and through counsel (collectively,  
 3 the “Parties”), submit the following joint stipulation and proposed order pursuant to Local Rule 6-2. In  
 4 support thereof, Lipton’s counsel Clark Anthony Braunstein declares as follows:

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 6 1. In response to the Complaint in this case, Defendant Lane Lipton filed a Motion to Dismiss and a  
 7 Special Motion to Strike Pursuant to Cal. Civ. Proc. Sec. 425.16 on July 3, 2014 (“Pending Motions”).  
 8 (See Docket Nos. 15, 16.) The hearing date for the Pending Motions is set for September 18, 2014.

9 2. On July 10, 2014, Plaintiffs’ counsel conferred with Defendant’s counsel regarding an extension  
 10 of time to respond to the Pending Motions. Defendant’s Counsel has agreed to extend the response date  
 11 for the Pending Motions two weeks to July 31, 2014. The parties submitted a joint stipulation to the  
 12 Court. (See Docket Nos. 17.)

13 3. On July 16, 2014, the Court issued an Order extending the time for Plaintiffs to Respond to the  
 14 Pending Motions to July 31, 2014. (See Docket Nos. 18.)

15 4. On July 31, 2014, Plaintiffs filed its oppositions to the Pending Motions. (See Docket Nos. 21,  
 16 22.)

17 5. On August 5, 2014, Defendant’s counsel conferred with Plaintiff’s counsel regarding an extension  
 18 of time to file reply papers to Plaintiffs’ Oppositions to the Pending Motions, currently due on July 7,  
 19 2014. Plaintiff’s Counsel has agreed to extend the date to file Lipton’s reply papers to the Pending  
 20 Motions to August 11, 2014.

21 6. The court has scheduled a case management conference for November 20, 2012, with a case  
 22 management statement due a week prior. (See Docket No. 14.)

23 7. Extending the time to file reply papers in support of Defendant’s Pending Motions does not  
 24 affect the court’s case management schedule or any other schedule set by the court.

25 8. This stipulation shall not be considered a waiver of any claims or defenses of either party.

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1           THEREFORE, the parties request the court accept the parties' stipulation and enter an Order  
2 extending Lipton's time to file her reply papers to the Plaintiff's Oppositions Defendant's Pending  
3 Motions until August 11, 2014.

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5           Dated: August 5, 2014

LAW OFFICES OF JAY LEIDERMAN

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7           By:     /s/ Jason S. Leiderman      
8           Jason S. Leiderman  
9           Attorney for Plaintiffs  
10          James McGibney  
11          ViaView, Inc.  
12          jay@criminal-lawyer.me

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14          Dated: August 5, 2014

BRAUNSTEIN & BRAUNSTEIN, P.C.

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16          By:     /s/ Clark Anthony Braunstein      
17          Clark Anthony Braunstein  
18          Attorney for Defendant Lane Lipton  
19          clarkbraunstein@gmail.com

20  
21          Dated: August 5, 2014

LAW OFFICE OF ROBERT S. GIOLITO

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23          By:     /s/ Robert S. Giolito      
24          Robert S. Giolito  
25          Attorney for Defendant Lane Lipton  
26          rgiolito@giolitolaw.com

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28          PURSUANT TO STIPULATION, IT IS SO ORDERED.

          Dated: August 6, 2014



HONORABLE BETH LABSON FREEMAN  
UNITED STATES DISTRICT JUDGE